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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,981

03/30/2006

Nobuyoshi Okumura

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EXAMINER

HANNON, CHRISTIAN A

ART UNIT

PAPER NUMBER

2618

NOTIFICATION DATE

DELIVERY MODE

09/13/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

## Office Action Summary

Application No.

10/573,981

Applicant(s)

OKUMURA ET AL.

Examiner

Christian A. Hannon

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/30/2006</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Information Disclosure Statement*

2. The information disclosure statement (IDS) submitted on 3/30/2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over Nee (US 2003/0013425).

Regarding claim 1, Nee teaches a receiving apparatus for receiving a broadcasting wave to which service information indicating at least a channel number, a transmission broadcasting station name, and a broadcast target area are added, characterized in that said receiving apparatus comprises a reception determining means for determining whether said broadcasting wave can be received in a predetermined region (Page 6, [0066]) a registration means for extracting said service information added to the broadcasting wave which is determined to be able to be received by said

reception determining means, and for registering said service information, as preset information, into one preset group (Page 5, [0053-0054]) and a channel selecting means for selecting said broadcasting wave according to the preset information registered into said preset group (Figure 2, Page 3, [0034-0035]). However Nee does not explicitly teach an action may take place while changing said channel number. Yet Nee teaches the ability to change channels (Page 3, [0035]). Therefore it would be obvious to one of ordinary skill in the art that these occurrences could take place as a user was changing the channel.

Regarding claim 2, Nee teaches claim 1, characterized in that the service information includes selection button numbers, which are sued for selection channel numbers respectively, and the registration means registers names of transmission broadcasting stations and a broadcast target area for these transmission-broadcasting stations while associating them with said selection button numbers respectively (Page 4, [0043], Page 5, [0054]).

Regarding claim 3, Nee teaches claim 2, characterized that said apparatus comprises a display control means for displaying a preset group list showing a list of preset groups, as well as broadcast target areas, and for, when a preset group is selected from this preset group list, displaying a preset group screen in which a plurality of broadcasting stations included in preset information associated with the selected preset group are associated with a popularity of selection button numbers respectively (Page 3, [0034]; Figure 2; Page 4, [0044-0045]).

Regarding claim 4, Nee teaches claim 3, characterized in that when a selection button number is input, the channel selection means selects a channel number according to the input selection button number and a preset group number indicating the preset group and displayed on the preset group screen so as to select a broadcasting wave (Page 4, [0044]).

Regarding claim 5, Nee teaches claim 1, characterized in that said apparatus has a searching means for searching for a preset group to which a broadcasting wave having a same broadcast target area as a broadcasting wave which said receiving apparatus is currently receiving belongs, and the registration means registers as preset information service information added to the broadcasting wave which said receiving apparatus is currently receiving into the preset group to which a broadcasting wave having the same broadcast target areas the broadcasting wave which said receiving apparatus is currently receiving belongs (Page 5, [0053-0054]).

Regarding claim 6, Nee teaches claim 1, characterized in that said apparatus has a searching means for searching for a preset group to which a broadcasting wave having a same transmission broadcasting station name as a broadcasting wave which said receiving apparatus is currently receiving belongs, and, when said searching means determines that there exists a preset group to which a broadcasting wave having a same transmission broadcasting station name as the broadcasting wave which said receiving apparatus is currently receiving belongs, the channel selection means selects a broadcasting wave according to said preset group (Page 5, [0053-0056]).

**Conclusion**

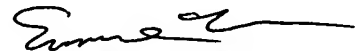
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian A. Hannon whose telephone number is (571) 272-7385. The examiner can normally be reached on Mon. - Fri. 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



C. A. Hannon  
August 31, 2007



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